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Assessing the Freedom of Information Act

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WASHINGTON, Aug. 28 — Almost 20 years ago, in 1966, Congress passed the Freedom of Information Act, establishing the general principle that Federal agencies must open their document files for inspection upon request by any United States citizen.

Under the law, all documents must be made available except those involving nine exempt subjects, such as classified matters, criminal investigations and advice to the head of an agency.

Now the House Government Operations Subcommittee on Information has examined how the Government's eight major departments are obeying the law. Its findings: excepting procedural denials, 91.9 percent of the requests processed by the agencies were granted in full in 1984.

Representative Glenn English, the Oklahoma Democrat who heads the subcommittee, says the statistics show that the Freedom of Information Act is "successfully accomplishing its primary purpose: making Government documents available to those who want them." He adds that "few Government programs have a success rate of 91 percent."

What the Figures Don't Show

But Mr. English cautions against accepting the numbers as a complete assessment of agency compliance with the Act. He notes, for example, that the statistics do not show whether the agencies are processing requests in a timely fashion, whether the agencies are granting fee waivers to those entitled to them or whether all disclosable documents are actually disclosed.

The eight agencies are the Departments of Commerce, Defense, Education, Energy, Health and Human Services, Justice, State and Treasury.

According to the subcommittee's analysis, the agencies last year processed 247,968 requests. Of the total,



Information, Please

Freedom of Information Act requests processed in 1984.

Agency	Total requests	Adjusted requests *	Granted in full†	Success rate
Commerce	1,171	937	679	72.4%
Defense	81,179	72,225	66,786	92.4
Education	2,054	1,998	1,777	88.9
Energy	6,619	6,217	5,726	92.1
Health and Human Services	103,110	102,729	101,602	98.9
Justice	24,564	14,044	10,457	74.4
State	3,817	3,246	946	29.1
Treasury	25,654	24,797	20,005	80.6
TOTAL	247,968	226,193	207,978	91.9%

* Excludes requests denied for procedural reasons: refusal to pay fees, no records found, request withdrawn, etc.

† Agency provided all of the documents requested.

Source: House Subcommittee on Government Information

Drawings by Tom Bloom

the agencies denied all or part of 17,007 requests on the grounds that they fell within one of the nine legal exemptions. The agencies denied 21,775 other requests for a variety of procedural reasons ranging from the contention they could not find the requested records to the refusal of the people requesting the documents to pay the required fees.

The Reagan Administration has unsuccessfully pressed Congress to reduce the scope of the Act on several occasions and has taken administrative steps that critics contend have made it harder to obtain documents. Still, the subcommittee's analysis suggests there has been little overall change in the last few years.

The subcommittee found great variation in the response of the eight

Cabinet level departments it examined. The two with the best records were the Department of Health and Human Services, which granted 98.9 percent of the requests it processed, excepting procedural denials, and the Defense Department, which granted 92.1 percent. The agency with the worst record was the State Department, where only 29.1 percent of the requests were approved.

Mr. English said there still was considerable room for improvement in the handling of information under the law. "Many requests are not processed within the statutory 10-day time limit," he said, noting that at the State Department the number of backlogged requests had jumped from 2,236 to 3,444, an increase of more than 50 percent.